



MINUTES – City Planning Commission

1,894th Meeting

6:00 a.m. August 18, 2005

COUNCIL CHAMBER, CITY HALL
3900 MAIN STREET

**MINUTES APPROVED AS PRESENTED
AT THE JANUARY 5, 2006 MEETING**

COMMISSIONERS PRESENT: Agnew, Brown, Comer, Densmore, Leonard, Maloney, Norton, Singletary, Sebelia

COMMISSIONERS ABSENT: Kurani

STAFF PRESENT: Gutierrez, Planning Director
Aaron, Deputy Planning Director
Jenkins, Principal Planner
Milosevic, Associate Planner
Brenes, Associate Planner
Van Zanten, Senior Engineer
Smith, Deputy City Attorney
Ramos, Stenographer

THE FOLLOWING BUSINESS WAS CONDUCTED:

The Commission reconvened at 6:00 p.m. to discuss the following:

PUBLIC HEARING - 3:00 p.m.

16. **PLANNING CASE P04-0178:** Planning Commission review of the General Plan 2025 Program and related Final Program Environmental Impact Report (SCH NO. 2004021108). The General Plan 2025 Program consists of the following components: 1) the City of Riverside General Plan 2025; 2) the comprehensive revision of the City of Riverside Zoning Code (Title 19 of the Municipal Code) and the rezoning of properties to reflect new zone names; 3) the comprehensive revision of the City of Riverside Subdivision Code (Title 18 of the Municipal Code); 4) the Citywide Design Guidelines; and 5) the Implementation Plan.

Chairman Leonard noted that today's hearing focuses on the Implementation Plan.

Diane Jenkins Senior Planner, presented the staff report.

Commissioner Norton referred to No. 6, Tool 35, Office of Neighborhoods, and asked staff how that recommendation differs from the Neighborhood Governance Task Force that was recommended and heard before City Council.

Ms. Jenkins stated she believes the Task Force was a little more in depth. Eva Yakutis-McNiel, Office of Neighborhoods Manager, informed her that this was a simple certification that would help keep track of the different neighborhoods so that the City could have better understanding of where they are located and who the key contacts are.

Commissioner Leonard inquired as to whether an interesting situation could arise, for instance, in Casa Blanca where there might be two groups seeking certification as the representative of the neighborhood.

Ken Gutierrez, Planning Director, stated there would be no overlap as these do not necessarily conform with the 26 neighborhoods the City has and this could be a much smaller area. He explained that the purpose for having some kind of a certification is to show that they are a non-political, inclusive group that meets some basic standards. It gives the City an opportunity to involve them in its neighborhood organizations and allows the City to then send that group notices of the activities happening in the area.

Chairman Leonard recommend amending Implementation Tool H13 to include all schools since it refers to facilitating and encouraging development of student housing. He stated that rather than encouraging student housing through the community, it should be oriented to college campuses. He inquired as to whether there are two different policy subsets.

Ms. Jenkins stated no and explained that staff was just trying to further clarify the language. She noted that she prefers Chairman Leonard's clarification better. She stated perhaps it would be better to state, "...facilitate and encourage the development of student housing for local universities and colleges." She noted this would need some postsecondary word smithing.

Chairman Leonard expressed the need for a mechanism to keep tabs on the tools and suggested a standing committee.

Commissioner Densmore explained that he is unsure as to what the Commission's role would be and does not believe a committee would really represent anything.

Commissioner Brown commented that it is the City Council who will be making the ultimate decision anyway.

Commissioner Norton stated she didn't interpret it as being a "watch dog" type of thing; she was relating it more to a similar to the Land Use Committee.

Chairman Leonard stated the Land Use Committee is a good analogy to use because there's a number of things in the Implementation Plan that are beyond the role of the Planning Commission; however, it is a means for a segment of the Commission to participate and report back in terms of working with staff in the big picture of things. He stated week-after-week or session-by-session the Commission is focused on individual projects and rarely is there an opportunity like this process to look at citywide issues, unless there is an ordinance amendment.

Mr. Gutierrez commented that he believes the Commission needs to be involved in the Implementation. He proceeded to share with the Commission his vision of how the Implementation Plan works. He explained that without an active Implementation Plan, all the work the Commission and staff has done really does not go very far. His vision for this document is one that is a "living document".

The Commission proceeded to discuss the provisions for corrective measures they had discussed at the previous General Plan hearing and whether or not they should be incorporated into the Implementation Plan.

Chairman Leonard was of the opinion that those concerns will be taken care of and do not need to be part of the Implementation Plan.

Commissioner Brown commented that he is ready to move forward with a recommendation for approval of the Plan.

Mr. Gutierrez referred to the bullet points, stating that the provision to remove buses from traffic flow is something the Riverside Group and RTA has looked at. He commented that rather than actually making that a provision in the Implementation Plan, it should be looked at as part of the Implementation Plan. He stated for instance, the bus rapid transit uses the existing travel lanes and RTA is fine with that.

Chairman Leonard stated that this was not good for the flow of buses.

Mr. Gutierrez explained that RTA objects to the cutouts into the parkway for bus turnouts because it is a dangerous situation. RTA would rather stop traffic than pull in-and-out of traffic in order to avoid traffic collisions. He agreed it is a pain in the neck and probably better to have been in the General Plan policies themselves rather than in the Implementation Plan, but could be reconsidered as part of follow-up measure if the Commission so desires.

Chairman Leonard commented the right-of-ways belong to the City and he would think that the City would have a chance to disagree.

Commissioner Norton clarified that the Commission did recommend bus turnouts in the General Plan.

Mr. Gutierrez noted that the City Council has already acted on railroad grade priorities and anything related to fees needs to be a recommendation to the City Council as they are the only body that can waive fees. He noted that the City is recruiting for a trails coordinator.

Chairman Leonard explained that the Commission has had many discussions, often lead by Commissioner Brown, about the need for better pedestrian services in the City. He commented when you have to walk down a sidewalk and walk around trees, telephone polls and fire hydrants, that is not a

good situation. He explained the direction has been where the new cross sections call for the parkway at the curb and the sidewalk at the property line to separate the pedestrian from the traveler and to what instances those will become multi-purpose trails rather than just sidewalks.

Mr. Gutierrez stated with that clarification he supports it.

Commissioner Norton stated that she is aware Overlook Parkway is moving forward and a traffic study is being done. She also indicated that under the General Plan it was discussed that the Implementation Plan will be given some teeth and that the plan will be fast-tracked and go beyond just opening Overlook to go to Washington without impacting that neighborhood and access to the freeway. She asked if this is sufficiently covered in the Commission's discussions of the General Plan because this and Central Avenue are really two traffic issues the Commission could have an impact on. She stated she heard that there is actually a plan for Overlook Parkway floating around that looks pretty decent.

Commissioner Brown commented that is Ed Adkison's plan and it's not a bad one.

Mr. Gutierrez noted that Tool 14 is a specific plan type study for that connection of Overlook Parkway from Alessandro. He recalled that the Commission agreed Overlook Parkway needs to be connected, but not until such time as the City has the plan to get traffic passed Washington Street. He stated that plan is clearly going to be tied in with whatever Caltrans is doing as far as freeway interchanges as well as any grade separation priorities.

Commissioner Norton inquired as to whether the issue of Cajalco was made strong enough by the Commission in their General Plan recommendation.

Mr. Gutierrez stated absolutely.

Commissioner Norton referred to Art in Public Places and inquired as to where the Commission stood on that.

Mr. Gutierrez stated as he recalls the Commission simply modified the language to make it clear that it was not referring to development mitigation fees, but to explore other ways of doing it and the transit occupancy tax was one that came up as well as other methods. He noted that it is a policy in the General Plan.

Commissioner Densmore commented that he likes the tools and Chairman Leonard's revisions, understanding these are recommendations. He inquired as to whether there is still a question regarding the definition of arroyos.

Mr. Gutierrez stated he thinks there are policies in place, but there is testimony to that that will come when this case is opened up for public testimony.

Commissioner Densmore referred to Bullet 4 noting that he realizes this is not in the Commission's purview, but he really likes it as a recommendation to the City Council; he added that those affected as a result of these actions should not be financially penalized.

Chairman Leonard stated that is right, but asked Mr. Gutierrez to clarify if requests will be bundled in groups of four over the course of a year to meet the quarterly requirements.

Mr. Gutierrez stated, if they are amendments to the General Plan, that is correct. He commented that he should ask the author if this is exactly what is meant by a "correction". He further explained that a

correction is a rectification of an error that was made. If that is the case, that is something he can implement; if it is a change to help someone with a CUP that is a little different.

Commissioner Sebelia expressed his support for a standing committee.

Mr. Gutierrez proposed instead of a Planning Commission standing committee a citywide advisory committee of which one or two Planning Commissioners would be participants and report back as liaison to the Planning Commission.

Commissioner Norton commented that this is an item that cannot sit on a shelf and must get done.

Commissioner Densmore commented he would like to be certain that the following issues are addressed: the tributaries and arroyos, the proposal by Commissioner Brown regarding a medical overlay in the Magnolia area, and the neighborhood committees.

Mr. Gutierrez explained that staff believes there are policies already in place to cover all issues except the medical overlay. He commented that he does have reservations about putting in an overlay zone, especially one that limits it to medical uses at this time.

Commissioner Brown withdrew his recommendation.

Arlee Montalvo, stated she is here today from the Resource Conservation District, and representing the County/City Arroyo Committee and the Santa Ana Regional Water Quality Control Board. She explained they have had numerous meetings to map the arroyos of Riverside and the tributaries extending into these arroyos and into the southern and eastern sphere of influence. She further addressed these maps and provided them to the Commission.

Chairman Leonard asked staff where they are on their recommendations of these maps.

Mr. Gutierrez stated the Commission has just been given an enormous amount of detail that simply cannot be absorbed right now. He stated just the fact the Commission is discussing Open Space Tool 45, shows the importance being put on open space, not only in the General Plan, but in the Implementation Plan. He stated Item 22 does 'hit the nail right on the head' as it addresses six different arroyos; Ms. Montalvo is suggesting that the number be increased. He also stated one way of doing that is to continue to study the arroyos and list those six and others as appropriate.

Ms. Montalvo pointed out that the Sycamore Canyon Arroyo was never mapped as a part of the Grading Ordinance and she assumes that is because a large portion of it is within the boundaries of Sycamore Canyon Park and the park was established before the Grading Ordinance. She stated a lot of the head waters of Sycamore Canyon Arroyo are not in the park, so it is important to have those extended and mapped.

Chairman Leonard asked Ms. Montalvo if she is in agreement with the language staff has recommended.

Ms. Montalvo stated the language should be strong enough to ensure that these important watercourses are actually added. Right now the Grading Ordinance has some very good protections, but there are too many different interpretations that come in and people tend to ignore the blue lined stream part of it.

Mr. Gutierrez suggested the language, "...continue to study the following arroyos to identify resources and methods of protection, and other arroyos as appropriate."

Ms. Montalvo asked that Tool 45 be expanded to include into the annexation spheres.

Mary Humboldt, 7407 Dufferin Avenue, asked that the language be strengthened to protect Victoria Avenue. She also asked that the language be strengthened in terms of enforcing Prop R and Measure C.

Jane Hinalt, resident of La Sierra, also urged the Commission to strengthen the language in term so Prop R and Measure C to protect current rural areas.

Chairman Leonard inquired as to how the spirit and intent of protecting the Victoria Avenue can be met.

Mr. Gutierrez explained that he is not sure how the language could be strengthened any more than it has been in terms of Prop R and Measure C. With regard to Victoria Avenue, he agrees that the measures themselves and the RA-5 Zone do allow parks as a matter of right; schools are not allowed. With regard to the actual policies the City does have control over, Items 12 and 13 speak directly to Victoria Avenue with regard to creating an overlay zone and there is an interim policy in place that speaks to that. He referenced to Items 9 and 24.

Following further discussion, the public hearing was closed and the following motion was made:

MOTION MADE by Commissioner Brown, **SECONDED** by Commissioner Densmore, **TO ADOPT** the Implementation Plan, which includes a recommendation to the Council for an advisory committee to include Planning Commission participation (minimum two members with an alternate) to provide a status and progress of the Implementation Plan; also, there is to be a report to the Planning Commission no more than 120 days in terms of the progress. The motion includes all of the criteria outlined with the Implementation Plan as revised by staff and from discussions with then public.

MOTION CARRIED unanimously.

AYES:	Agnew, Brown, Comer, Densmore, Leonard, Maloney, Norton, Sebelia, Singletary
NOES:	None.
DISQUALIFIED:	None.
ABSTAINED:	None.
ABSENT:	Kurani

Ms. Jenkins proceeded to present the updates to the Zoning Code in terms of the Adult Oriented Business.

The Commission discussed minimizing the number of areas in the City for these types of uses.

Ms. Jenkins explained that legally the City has to have a certain amount of areas for adult-oriented uses in order to meet the intent of the law. She noted that there are only about five areas in the City where these are allowed.

Kristi Smith, Deputy City Attorney, explained that the Commission has to be reasonable and must have justifiable standards as to why they would want to increase the restrictions.

Commissioner Norton proposed that any adult-oriented uses be restricted to a 600-foot separation from schools, parks, churches, day care and each other, including freeways. She believes adult-oriented uses should be adherent to the same restrictions as are applied to a liquor store.

MOTION MADE by Commissioner Norton, **SECONDED** by Commissioner Singletary, **TO ACCEPT** the staff recommendation with the revision to establish a 600-foot separation of any adult-oriented use from any school, park, church, day care, freeway and each other.

MOTION CARRIED unanimously.

AYES:	Agnew, Brown, Comer, Densmore, Leonard, Maloney, Norton, Sebelia, Singletary
NOES:	None.
DISQUALIFIED:	None.
ABSTAINED:	None.
ABSENT:	Kurani

Commissioner Densmore thanked staff, the audience and the Commission for all of their hard work on the General Plan. The Commission presented Chairman Leonard with a token of appreciation.

ADJOURNMENT

Adjournment to the September 8, 2005 meeting at 9:00 a.m. in the Art Pick Council Chambers.